

LEP Communication Planning Framework

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LEP Communication Planning Framework

Introduction

This document provides a framework for a plan on communicating with limited English proficient individuals during emergency response and disaster recovery operations that is compliant with federal and state requirements. The requirements are found in guidance for federal financial recipients from the U.S. Department of Homeland Security¹ as well as in Substitute Senate Bill 5046,² passed by the Washington Legislature, signed by the Governor, and effective July 23, 2017. Such a plan is designed to be part of a local Comprehensive Emergency Management Plan (CEMP).

Limited English Proficiency Defined

A limited English proficient (LEP) individual is one who does not speak English as his/her primary language and who has a limited ability to read, write, speak or understand English. Not all individuals whose primary language is not English should be considered as having limited English proficiency.

The State Office of Financial Management developed estimates on LEP population groups³ by county that meets the primary safe harbor threshold of the Department of Homeland Security's guidance.

The 2016 American Community Survey⁴ estimates that about 20 percent of Washington's population speaks a language other than English at home. Of that number, 40 percent speaks English less than "very well." Those that speak English less than very well are more likely than not to have limited proficiency in English.

Planning Considerations

The instructions in this document are designed to help local emergency managers shape a communications plan that meets local needs for LEP populations groups within their jurisdiction.

It is important to note that the LEP communications guidance from the Department of Homeland Security is just that – *guidance*. It is just as important to note that the new state law spells out *legal requirements*. The suggested communications plan framework, below, contains elements of both.

In its guidance, DHS provides its federal financial recipients – including emergency management organizations – the flexibility to determine when, where and how they should communicate with LEP language groups. Different situations may require different actions at different times to provide language access. The key is for emergency managers to take reasonable steps to ensure meaningful access to their programs and services by LEP individuals. Such services include but are not limited to emergency life-safety notifications and access to disaster recovery programs.

¹ *Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*, https://www.lep.gov/guidance/guidance_Fed_Guidance.html#DHS, U.S. Department of Homeland Security, April 18, 2011. Also see page 19.

² <http://lawfilesexternal.wa.gov/biennium/2017-18/Pdf/Bills/Session%20Laws/Senate/5046-S.SL.pdf>, Washington State Legislature, July 23, 2017. Also see Page 20.

³ Special subject estimates, Estimate of population with limited English proficiency (LEP) for the state and counties, <http://ofm.wa.gov/pop/subject/default.asp>. See also Page 8.

⁴ https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_16_1YR_B16001&prodType=table, U.S. Census Bureau, accessed November 28, 2017. County numerical estimates are available by selecting Washington and "state-county" under the "Add-Remove Geographies" tab. Also see Page 9

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On the other hand, SSB 5046 lays out legal requirements for state agencies and state and local emergency managers that provide life-safety notifications to the public. The bill requires that a communication plan that addresses life-safety notifications be part of a local comprehensive emergency management plan; however, it does not lay out any specific requirements for it.

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Suggested Communications Plan Framework

Copy the framework below into another Word document. Use the guidance/instructions on pages 8-17 to help develop a communications plan for your jurisdiction.

1. **Identify the LEP language groups within your jurisdiction**

Which LEP language groups will your organization need to communicate with during emergencies and disasters. Cite the source(s) of the data.

<i>Jurisdiction Name</i>	<i>Language Group</i>	<i>Language Group Pop.</i>	<i>% of Jurisdiction Pop.</i>
<i>name of jurisdiction here</i>			
<i>Jurisdiction Population</i>			
<i>population # here</i>			

Source of Data: Cite the source of the data in the table above.

2. **Describe the emergency management organization’s obligation to provide language access**

Consider the following four factors for serving or communicating with LEP language groups. Provide a narrative for each:

- a. The number or proportion of LEP persons eligible to be served or likely to be served or encountered by the emergency management organization, including those likely to receive notifications of life-safety information during an emergency.

Narrative here:

- b. The frequency with which LEP individuals encounter the emergency management organization and its program(s), including notifications of life-safety information during an emergency.

Narrative here:

- c. The nature and importance of the local emergency management organization’s program, service, or life-safety notifications to people’s lives.

Narrative here:

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- d. Resources available to the emergency management organization and the costs of providing life-safety notifications in languages understood by the LEP language groups within the jurisdiction.

Narrative here:

3. Identify messaging strategies / methods for communicating life-safety information

Provide a brief narrative on the organization's overall messaging strategy for life-safety notifications, e.g., how you intend to use the messaging systems and methods listed below to reach LEP language groups that may be in peril during an incident. Note differences in messaging methods to different LEP language groups.

Narrative here:

Identify the messaging systems and methods the organization will use to disseminate life-safety notifications and other emergency messages to LEP language groups. If needed, list messaging systems and methods by LEP language group. (Select systems / methods that will be used and delete the rest. Include other systems and methods the jurisdiction plans to use that are not addressed or listed below.)

- a. *Emergency Alert System: Identify radio/TV station[s] and cable system(s) w/ call sign/system identification, and contact[s] w/ phone #s and email*
 - i. *Station 1:*
 - ii. *Station 2:*
 - iii. *Station 3:*
 - iv. *Station 4*
 - v. *Cable System 1:*
 - vi. *Cable System 2:*
 - vii. *Other:*
- b. *Local alerting system(s): List name of system (e.g., Alert Seattle or Okanogan County Alert), language(s) it can broadcast in, system or message limitations, operator and contact info (phone #s, email)*
 - i. *System 1:*
 - ii. *System 2:*
 - iii. *System 3:*
 - iv. *Other:*
- c. *News Media: List radio, TV, newspaper, ethnic media, blogs, etc. (specifically identify media outlet[s] and contact[s] w/ phone #s and email)*
 - i. *Newspaper 1:*
 - ii. *Newspaper 2:*
 - iii. *Radio Station 1:*
 - iv. *Radio Station 2:*
 - v. *Blog 1:*
 - vi. *Blog 2:*
 - vii. *Ethnic Media 1 (include language group served):*
 - viii. *Ethnic Media 2 (include language group served):*

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- ix. *Other:*
- d. *Social media platforms – name platform and account names, e.g., Twitter - @waEMD, Facebook – WashEMD.*
 - i. *Facebook:*
 - ii. *Twitter:*
 - iii. *Instagram:*
 - iv. *Nextdoor:*
 - v. *Other:*

- e. *Door-to-door notifications (through neighborhoods, farms/orchards/production facilities, parks, hotels, etc.)*

Describe the strategy for using this method of notifying people, and how those providing the emergency notifications will communicate with LEP individuals they encounter in a language and manner they understand.

Narrative here:

Identify group(s) that may be used to make such notifications: list name of organization and 24-hour contacts w/phone #s and email

- i. *Local police / sheriff's office:*
- ii. *Local police / sheriff's office:*
- iii. *Local fire department:*
- iv. *Local fire department:*
- v. *Community Group #1:*
- vi. *Community Group #2:*
- vii. *Other:*

- f. *Other organizations (e.g., local health department, community service groups, schools, shelters, ethnic associations, etc.)*

Describe the strategy for using other organizations within your jurisdiction to provide life-safety notifications. In the description, identify how these groups will be used.

Narrative here:

Identify group(s) that may be used to make such notifications: list name of organization and 24-hour contacts w/phone #s and email

- i. *Organization #1:*
- ii. *Organization #2:*
- iii. *Organization #3:*

- g. *Trap lines. Identify pre-selected locations where emergency communications will be posted on a bulletin board. (Note: Listed are primary locations for all communications; the list will be supplemented by additional locations to be determined during an incident.)*

- i. *Location #1:*

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- ii. Location #1:
 - iii. Location #3:
 - iv. Location #4:
 - h. Other methods for providing life-safety notification not mentioned previously. Identify method of notification, responsible party, contact name and phone #s, email for each.
 - i. Method #1:
 - ii. Method #2:
- 4. Identify the life-safety notifications the organization plans to use

(Note: Keep message topics the organization plans to use to provide life-safety notifications to LEP language groups and delete the rest. Add additional messages/ topics as appropriate.)

Life-safety notifications:

- Notices on evacuation (SSB 5046 requirement) to include information on available transportation, if available.
- Notices on sheltering / sheltering in place (SSB 5046 requirement).
- Notices where individuals can obtain care or assistance (e.g., food, water, showers, medical care; and shelter and food / water for pets and large animals, etc.). (SSB 5046 requirement is communicating availability of food and water). Include information on available transportation, if known.
- Notices on facility lockdown (SSB 5046 requirement).
- Notices on food safety (e.g., safe handling and disposal of potentially contaminated food products).
- Notices of curfew and curfew-related restrictions.
- Other public health and safety information (e.g., air quality announcements; generator safety tips; how to avoid carbon monoxide poisoning; how to disinfect potentially contaminated wells; safely cleaning up after a disaster, and when and how to dispose of damaged household goods; need for health screening or prophylaxis to prevent spread of infections, diseases, etc.).

Other emergency messages:

- Emergency closure or detour notices for key transportation corridors, passenger rail lines and public transit systems (bus routes, commuter rail, ferry routes).
- Emergency restricted hours / closure notices for local facilities where important services are provided directly to the public (e.g., offices of local health department or district, social services agencies, utilities / PUDs, building departments, etc.).
- Announcements related to disaster-related consumer protection issues (e.g., how to hire a contractor; insurance coverage, and how to file claims and complaints, etc.)
- Announcements on reporting damages to local authorities for damage assessment purposes (e.g., what information is needed, how, when and where to report it, etc.).

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- *Announcements of upcoming community meetings conducted by local / state / federal / tribal officials.*
- *Other information related to the health, safety or security of individuals impacted by the ongoing emergency or disaster.*

5. Identify individuals or organizations that can provide language assistance services

Written translations and oral interpretations, or outreach to LEP population groups. Include language(s), and 24-hour contacts with phone #s and email for each.

- a. *Translations (written):*
 - i. *Organization #1:*
 - ii. *Organization #2:*
 - iii. *Organization #3:*
 - iv. *Organization #4:*
 - v. *Organization #5:*
- b. *Interpretations (oral):*
 - i. *Organization #1:*
 - ii. *Organization #2:*
 - iii. *Organization #3:*
 - iv. *Organization #4:*
 - v. *Organization #5:*

6. Describe the process used to develop the communication plan.

Identify individuals and organizations that assisted in the planning process.

Narrative here:

7. Develop a timeline and process for reviewing and updating the plan.

Narrative here:

Instructions for preparing the communications plan

The guidance on the following pages is designed to help emergency managers develop a well-thought plan on how to provide limited English proficient populations groups life-safety notifications and other important information and instructions during an emergency or disaster.

Each of the seven planning elements has its own guidance. The guidance may point to data sets to discover language groups within a jurisdiction or provide food for thought to help emergency managers make decisions on communications to help keep LEP population groups (and other groups) safe from peril.

Planning Element #1 – Identifying LEP language groups

There are two parts to this element – identifying LEP language groups in your jurisdiction and identifying the data set(s) used to make the determination.

1. Identifying language groups – Both SSB 5046 and DHS Title VI guidance identify numerical targets for the size of LEP language groups your jurisdiction should communicate with during emergencies and disasters.
 - SSB 5046 requires life-safety notifications to *significant population segments*, which are defined in the bill as “...each limited English proficiency language group that constitutes five percent or one thousand residents, whichever is less, of the population of persons eligible to be served or likely to be affected within a city, town, or county.” (emphasis added)
 - DHS Title VI guidance describes *safe harbor* targets for communicating or serving LEP language groups in a language and manner they understand. These targets are:
 - Each LEP language group that constitutes five percent or 1,000, whichever is less, of the population of persons likely to be affected or encountered. (emphasis added)
 - For LEP language groups with fewer than 50 persons that reaches the five percent trigger, provide written notice of their right to receive competent oral interpretation of written materials, free of cost, in their primary language.

DHS guidance states that a *safe harbor* means that if the emergency management organization communicates with or provides services to LEP language groups of the sizes noted above, such action will be considered strong evidence of compliance with the obligations described by the guidance.

2. Data sets – SSB 5046 identifies the State Office of Financial Management data set at <http://ofm.wa.gov/pop/subject/default.asp> (or the PDF file, below) as one to use to identify LEP language groups. Note the county populations and LEP language group percentages in the PDF file; they were added by State EMD staff, and do not appear in the spreadsheet on the OFM web site.

Other data sets can be used. Make sure the information is from a reliable and verifiable source. Other sources include:

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- Washington Tracking Network: <https://fortress.wa.gov/doh/wtn/WTNPortal/>. This site uses information from OFM’s data set, and others, to provide county-based population estimates of LEP population groups.
- U.S. Department of Justice, through www.lep.gov/maps.
- U.S. Census American Community Survey – Language Spoken at Home by Ability to Speak English for the Population 5 years and Older (by county, by language – speak English “very well” and “less than very well”; 2011-2015 five-year estimates).

https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_15_5YR_B16001&prodType=table

Also consult with local community groups (a recommendation of SSB 5046), which may be able to help verify or refine the data from the above sources.

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Planning Element #2 – Determine obligation to communicate with LEP language groups

The intent of this planning element is to help emergency managers determine reasonable steps to take to provide meaningful access by LEP individuals to life-safety notifications and other important emergency information. According to DHS guidance, the assessment should result in a balance between steps that provide meaningful access and the burden it places on small local governments.

Each assessment factor is in *italic text*, below.

- a) *The number or proportion of LEP persons eligible to be served or likely to be served or encountered by the emergency management organization, including those likely to receive notifications of life-safety information during an emergency.*

The greater the number or proportion of LEP persons or population groups likely to be served or to receive life-safety notifications, the more likely an emergency management organization will need to provide such notifications in a language the groups understand.

The narrative for this planning element should describe what the LEP community looks like within the jurisdiction, e.g., the number language groups and their size, both in numbers and percentages, vis-à-vis the entire population, whether some of the language groups are transitory throughout the year (i.e. farm workers) or permanent residents, etc. Use the data developed in planning element #1, above, to help inform this narrative.

The narrative will help an emergency manager determine the language resources (e.g., numbers of and languages for interpreters and translators) that will be needed to facilitate transmission of life-safety notifications and other important emergency information and instructions during incidents.

- b) *The frequency with which LEP individuals encounter the emergency management organization and its program(s), including notifications of life-safety information during an emergency.*

The more frequent the contact with a specific LEP language group(s), the more likely that service, including for life-safety notifications, in the identified language(s) will be needed.

The narrative for this planning element should use information from past emergencies or disasters, preparedness fairs, or previous interactions to describe how frequently the emergency management organization or jurisdiction has been in contact with various language groups. If experiences are limited, emergency managers should consult with local health departments, community service organizations, schools, and other groups to get a sense of how frequently individuals from various LEP language groups interact with other public service organizations. This will provide an indication of the LEP language groups the emergency management organization will need to provide language assistance for life-safety notifications.

- c) *The nature and importance of the local emergency management organization's program, service, or life-safety notifications to people's lives.*

This is the bottom line for emergency management organizations in determining whether life-safety notifications are needed in the language(s) of the LEP language groups within the jurisdiction. The more likely that delaying life-safety notifications or not providing them at all

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will have serious or life-threatening implications to an LEP individual, the more likely emergency notifications need to be provided in a language and in a manner that LEP individuals understand.

The narrative for this planning element should discuss steps the emergency management organization will take to ensure that life-safety messages for LEP population groups at risk are disseminated as quickly as possible after such messages are disseminated to the English-speaking population at risk. If a process is not in place to provide life-safety messages to both English-speaking and LEP language groups together, describe the gap and identify steps and that that will be taken along with a timeline to eliminate the gap to the extent possible.

d) *Resources available to the emergency management organization and the costs of providing life-safety notifications in languages understood by the LEP language groups within the jurisdiction.*

An emergency management organization can take into consideration the cost of providing translated or interpreted life-safety notifications during an emergency or disaster. The organization should carefully explore the most cost-effective means of delivering competent, accurate and timely emergency notifications to LEP language groups before limiting such communication due to resource concerns.

The narrative for this planning element should describe resource shortfalls and steps taken to both consider and implement communications strategies and methods that are more cost efficient. This is where emergency management organizations from small governments can describe the balance between the obligation to provide life-safety notifications and the cost of providing them given limited resources.

An emergency management organization should consider one or more of the following before determining that providing services or communicating life-safety notifications to one or more language groups is too costly (note: the list below is not an exhaustive list of considerations).

- Whether it can partner with one or more neighboring jurisdictions to share funding of translations or interpretations of life-safety notifications.
- Whether there are pre-scripted, pre-translated fill-in-the-blank notification messages that it can use from another emergency management organization.
- Whether other organizations such as the local health department, school district, or community service organizations can help with translations or interpretations of life-safety notifications and then help with dissemination of such communications.
- Whether volunteers can provide translations or interpretations. (Note: Before using volunteers, make sure they have the skills or qualifications to provide high quality translations or interpretations in a timely manner.)
- Whether local alerting systems (Alert Sense, Code Red, etc.) are available and capable to disseminate information.
- Whether other resources are available to help with emergency communications. For example, see:
 - Ready.gov - <https://www.ready.gov/languages>.
 - LEP.gov - <https://www.lep.gov/resources/resources.html#MM>.

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The organization, in its narrative, should describe how it reached its conclusion on providing language access in the most-cost effective manner possible.

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Planning Element #3 – Identify messaging strategies and methods

The narrative in this planning element is where an emergency management organization describes how it will disseminate life-safety and other key emergency messages to LEP population groups, and identifies which communication systems and platforms it plans to use.

This element is based in part on a state reporting requirement in SSB 5046. The bill requires the Military Department / State EMD to make an annual report to the Legislature that identifies the strategies and methods used to disseminate life-safety notifications and information. For such a report to be made, the local emergency manager needs to provide State EMD information on systems and methods used to disseminate each life-safety message. (Note: A format for reporting to EMD life-safety notifications made to LEP population groups will be provided to local emergency management organizations separately.)

A list of potential systems and methods for disseminating life-safety notifications is below. Other systems or methods used by the emergency management organization should be identified in the planning element.

- Emergency Alert System (identify station[s] and contact[s]).
- Wireless Emergency Alerts (note: these are not used yet in Washington).
- Local alerting system (identify name of system, e.g., Code Red, Alert Sense, etc.; the languages it broadcasts in; and contacts).
- News Media – ethnic media, radio, TV, newspaper, blogs, etc. (specifically identify media outlet[s] and contact[s]).
- Social media platforms – Facebook, Twitter, Instagram, Next Door, etc. (list account names, e.g., Twitter - @waEMD).
- Other government organizations (e.g., local health department), community service groups, schools, shelters, etc. (identify the organization[s] and contact[s], and describe how the organizations will be used).
- Trap lines (specifically identified locations throughout an impacted community where emergency communications are posted on a bulletin board).
- Door-to-door notifications (through neighborhoods, farms/orchards/production facilities, parks, hotels, etc.) by emergency personnel or volunteers (identify organizations/individuals that will be counted on to provide such service and describe the basic strategy for using this method).
- Other methods (identify method, contact for each).

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Planning Element #4 – Identify key life-safety messages

Any list of potential life-safety notifications published in the communications plan should be used as a guide and noted as such; exceptions should be made for the life-safety messages required by SSB 5046 (noted below).

The following potential emergency messages are broken into two groups – notifications that should be disseminated quickly using multiple methods because of their implication on the life-safety of the intended recipient, and other messages with important information to help individuals navigate through an emergency or disaster to hit their community. The lists are not meant to be complete, rather to provide examples of messages that should be considered for translation/interpretation and dissemination to LEP individuals.

Life-safety notifications:

- Notices on evacuation (*SSB 5046 requirement*) to include information on available transportation, if available.
- Notices on sheltering / sheltering in place (*SSB 5046 requirement*).
- Notices where individuals can obtain care or assistance (e.g., food, water, showers, medical care; and shelter and food / water for pets and large animals, etc.). (*SSB 5046 requirement is communicating availability of food and water*). Include information on available transportation, if available.
- Notices on facility lockdown (*SSB 5046 requirement*).
- Notices on food safety (e.g., safe handling and disposal of potentially contaminated food products).
- Notices of curfew and curfew-related restrictions.
- Other public health and safety information (e.g., air quality announcements; generator safety tips; how to avoid carbon monoxide poisoning; how to disinfect potentially contaminated wells; cleaning up after a disaster, and when and how to dispose of damaged household goods; need for health screening or prophylaxis to prevent spread of infections, diseases, etc.).

Other emergency messages:

- Emergency closure or detour notices for key transportation corridors, passenger rail lines and public transit systems (bus routes, commuter rail, ferry routes).
- Emergency restricted hours / closure notices for local facilities where important services are provided directly to the public (e.g., offices of local health department or district, social services agencies, utilities / PUDs, building departments, etc.).
- Announcements related to disaster-related consumer protection issues (e.g., how to hire a contractor; insurance coverage, and how to file claims and complaints, etc.)
- Announcements on reporting damages to local authorities for damage assessment purposes (e.g., what information is needed, how, when and where to report it, etc.).

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- Announcements of upcoming community meetings conducted by local / state / federal / tribal officials.
- Other information related to the health, safety or security of individuals impacted by the ongoing emergency or disaster.

It is recommended that emergency management organizations develop or use pre-scripted, translated life-safety notifications to the extent possible for both English-speaking and non-English speaking populations. Disseminating such messages in multiple languages within a minute or two of each other will provide the greatest margin of safety for as many people as possible within an affected area.

Note: Work is underway by emergency managers at the local and state levels to prepare and share such messages so that they can be used by any organization statewide. Shared messages are posted to a Basecamp website that is open to all who register for the State EMD Preparedness Work Group; see link to registration form at <https://www.mil.wa.gov/form/preparedness-work-group>.

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Planning Element #5 – Identify individuals, organizations that can provide language assistance

Identifying potential source(s) of language assistance or outreach ahead of the next emergency or disaster will make it easier for an emergency management organization to communicate with LEP population groups during times of crisis. Include the name and contact information of the individual(s) or organization(s) that can help with life-safety notifications and other emergency communications.

It is recommended – but not required – that any individual providing translation or interpretation services should be certified through either the Washington State Court Interpreter Program, the Washington Department of Social and Health Services or the American Translators Association. Certification provides a level of assurance about the quality of the work provided by the translator or interpreter.

Potential sources for translators and interpreters:

- a) Bilingual staff of local governments, local health districts, county court systems, local schools, community organizations, churches, etc.
- b) Local interpreters or translators (may require payment for services).
- c) Local volunteers.
- d) Vendors identified in state master contracts (fee involved). Local organizations that signed a master contract usage agreement with the State Department of Enterprise Services can access services through these master contracts. (Note: Emergency managers can check [this web site](#) to determine whether their local government has signed the usage agreement.
 1. Written translation services – see Category 6 or Category 9 (24-hour emergency service) <https://fortress.wa.gov/ga/apps/ContractSearch/ContractSummary.aspx?c=04312>
 2. In-person interpretation services – <https://fortress.wa.gov/ga/apps/ContractSearch/ContractSummary.aspx?c=03514>.
 3. Telephone-based interpretations – <https://fortress.wa.gov/ga/apps/ContractSearch/ContractSummary.aspx?c=05614>.
 4. American Sign Language interpreters – <https://fortress.wa.gov/es/apps/ContractSearch/ContractSummary.aspx?c=08114>
- b. Department of Social and Health Services Certified/Authorized Interpreters and Translators – <https://fortress.wa.gov/dshs/dshsltc/FindInterpreter> (fee involved).
- a) Washington State Courts Interpreter Program – http://www.courts.wa.gov/programs_orgs/pos_interpret/ (fee involved).
- b) Washington State Coalition for Language Access – <http://www.wascla.org/directory/> (fee involved).

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Planning Element #6 – Process used to develop communication plan

The narrative for this planning element should describe the planning process, identify the individuals and organizations engaged to develop or review the plan, and discuss their role in the planning process.

Local emergency management organizations are encouraged to engage affected community organizations in developing the communications plan (*from SSB 5046, section 4*).

Planning Element #7 – Timeline, process for reviewing and updating the plan

The narrative for this planning element should describe the process to be used to review and update the plan, to include date of the next planned revision (e.g., every five years) as well as the circumstances that will be used to consider an interim update.

Background for Communicating with LEP population groups

Title VI of the Civil Rights Act of 1964, 44 U.S.C. 2000d prohibits recipients of federal funds from discriminating based on race, color, and national origin when providing service to the public. The U.S. Supreme Court ruled in 1974 that organizations discriminate based on national origin when they do not provide meaningful access to LEP persons to the federally funded programs they operate (*Lau v. Nichols*, 414 U.S. 563). Meaningful access includes communicating with LEP persons in a language they understand about the availability of emergency management programs, services, and life-safety notifications made during emergencies and disasters.

Most emergency management organizations in Washington state receive federal funds to help operate or maintain their programs. Funding may come from federal sources such as the Emergency Management Performance Grant, Homeland Security Grant Program, or grant programs that help their communities recover from a declared disaster. The source of grant programs such as these is the U.S. Department of Homeland Security (DHS); funding is passed through to local, state and tribal emergency management organizations by the Washington Military Department's Emergency Management Division.

DHS guidance states that recipients of Federal financial assistance (e.g., state, local, tribal governments) have an obligation to reduce language barriers that can preclude meaningful access by LEP persons to important government services and programs.

This means recipients of Federal financial assistance must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. Providing services to and communication with LEP populations should be equivalent to that provided to the English-speaking population in terms of content, availability, distribution and timeliness.

In 2017, the Washington Legislature approved, and the Governor signed into law, Substitute Senate Bill 5046. This bill, effective July 23, 2017, amended the Washington Emergency Management Act by adding communicating life-safety notifications to LEP language groups to the requirements of state and local emergency management organizations. It also added reporting requirements on communications plans and actual communications with LEP groups.

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LEP Communications Resource Guide

Before beginning this planning effort, planners should become familiar with applicable state and federal law, Presidential and Gubernatorial executive orders, and federal regulations and guidance on communicating with limited English proficient individuals and language groups.

Below are links to a variety of resources related to providing language access to LEP individuals.

Federal Resources

www.LEP.gov – This website of the U.S. Department of Justice Civil Rights Division is a clearinghouse for a wide range of LEP-related resources for federal agencies, recipients of federal funds, users of federal programs and federally assisted programs. Included on this website are LEP guidance for recipients of federal funding (look for your primary funding agency), links to demographic data, federal agency LEP plans, and more.

- Title VI of the Civil Rights Act of 1964, 42 USC 2000d et. seq.
 - <https://www.justice.gov/crt/title-vi-1964-civil-rights-act>
- Presidential Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency*, August 11, 2001.
 - <https://www.gpo.gov/fdsys/pkg/FR-2000-08-16/pdf/00-20938.pdf>
- Robert T. Stafford Disaster Relief and Emergency Assistance Act, PL 93-288, as amended, 42 USC 5151
 - <http://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title42-section5151&num=0&edition=prelim>
- U.S. Department of Homeland Security Title VI regulations against national origin discrimination, 6 CFR part 21.
 - <https://www.ecfr.gov/cgi-bin/text-idx?SID=ac08958ad1eeaba2855706e63fdcf796&mc=true&node=pt6.1.21&rgn=div5>
- *Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*, U.S. Department of Homeland Security, April 18, 2011. (Second file is a summary of the guidance)

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- *Guidance to State and Local Governments and Other Federally Assisted Recipients Engaged in Emergency Preparedness, Response, Mitigation, and Recovery Activities on Compliance with Title VI of the Civil Rights Act of 1964*, U.S. Departments of Justice, Homeland Security, Housing and Urban Development, Health and Human Services, and Transportation.
- *Tips and Tools for Reaching Limited English Proficient Communities in Emergency Preparedness, Response, and Recovery*, U.S. Department of Justice, Civil Rights Division, August 2016.
- I Speak language identification cards, US Census Bureau
 - <https://www.lep.gov/ISpeakCards2004.pdf>

State Resources

- Washington Law Against Discrimination, RCW 49.60
 - <http://app.leg.wa.gov/RCW/default.aspx?cite=49.60>
- Washington State Civil Rights Act, RCW 49.60.400
 - <http://app.leg.wa.gov/RCW/default.aspx?cite=49.60.400>
- Governor Executive Order 17-01, *Reaffirming Washington's Commitment to Tolerance, Diversity and Inclusiveness*, February 23, 2017
 - http://governor.wa.gov/sites/default/files/exe_order/eo_17-01.pdf
- *Emergency Notices – Limited English Proficient Populations*, Washington Emergency Management Act, Revised Code of Washington Chapter 38.52
 - <http://app.leg.wa.gov/RCW/default.aspx?cite=38.52>

See sections:

- RCW 38.52.010 – Definitions (communications plan, life-safety information)
- RCW 38.52.070 – Definitions (significant population segment, LEP data set), Evaluating Effectiveness of Communications
- RCW 38.52.073 – State Agencies' annual reports to Legislature
- RCW 38.52.580 – State Agencies' communication plans, annual reports on communications

SSB 5046 – Chapter 312, 2017 Laws – that incorporated requirements of emergency notifications to limited English proficient populations to the Washington Emergency Management Act, can be found at <http://lawfilesexternal.wa.gov/biennium/2017-18/Pdf/Bills/Session%20Laws/Senate/5046-S.SL.pdf#page=1>

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Data sources for locations of LEP populations:

Note: Read disclaimers provided for the data to learn the origin of the data and its limitations. And, document which data source(s) are used to make decisions on languages into which emergency public information is translated.

- State Office of Financial Management (languages spoken by county; use 2016 data)
 - <https://ofm.wa.gov/washington-data-research/population-demographics/population-estimates/special-subject-estimates>.
- U.S. Census American Community Survey – Language Spoken at Home by Ability to Speak English for the Population 5 years and Older (by county, by language – speak English “very well” and “less than very well”).
 - https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_15_5YR_B16001&prodType=table

Under the “Add/Remove Geographies” tab, add the type and name of the local jurisdiction for which the data is sought (e.g., Pierce County, Washington). 2015 estimates are available for all counties, 2016 estimates available for the largest population counties.

- State Department of Health’s Washington Tracking Network health information portal (LEP data by county and census tract, by number of people and percentage of population)
 - <https://fortress.wa.gov/doh/wtn/WTNPortal/#!q0=1085>.
- State Commission on Asian Pacific American Affairs (county data on Asian and Pacific Islander populations – click on map)
 - <http://capaa.wa.gov/data/population>.
- Local health departments / districts that serve LEP populations
 - <http://www.doh.wa.gov/AboutUs/PublicHealthSystem/LocalHealthJurisdictions>.
- U.S. Environmental Protection Agency Environmental Justice Screening Tool (demographic indicators)
 - <https://www.epa.gov/ejscreen>.
- Local health departments / districts that serve LEP populations
 - <http://www.doh.wa.gov/AboutUs/PublicHealthSystem/LocalHealthJurisdictions>.
- U.S. Department of Justice, through www.lep.gov/maps.

Translation and Interpretation Service Providers

Translation services are for the written word. Interpretation services are for the spoken word.

- Vendors available through State Master Contracts (fee involved).

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Any jurisdiction which has signed a no-cost Master State Usage Agreement with the State Department of Enterprise Services (DES) can use the master contracts listed below. You can check whether your organization has signed an agreement at <https://fortress.wa.gov/ga/apps/ContractSearch/MCUAListing.aspx>.

The benefit of using a master contract is that vendors already have been vetted and their pricing structure approved through a request for proposal process run by DES. Information on how to contact vendors, schedule work, and vendor invoicing are part of the master contract documents.

It is highly recommended that your organization becomes familiar with the master contracts and contacts potential vendors in advance of when the organization might use them.

- Written translation services – Contract #04312.

<https://fortress.wa.gov/ga/apps/ContractSearch/ContractSummary.aspx?c=04312>.

Category 6: General Use. Note – Not all vendors provide service after normal business hours (M-F, 8a-5p); those that do may require additional set up in advance. Contact vendors for additional information.

Category 9: Disaster Preparedness. Note – All vendors agree to provide service within a four-hour window on a 24 hour a day basis once a job is accepted; see notes on pricing sheet for exceptions. Be aware that using services under this category of work will cost more than under Category 6 of the contract.

- In-person interpretation services – Contract #03514.

<https://fortress.wa.gov/ga/apps/ContractSearch/ContractSummary.aspx?c=03514>

- Telephone-based interpretations. Contract #05614.

<https://fortress.wa.gov/ga/apps/ContractSearch/ContractSummary.aspx?c=05614>.

Note: Vendors on this contract are available on a 24-hour, 7-days-a-week basis.

- Sign-language interpretation – Contract #08114.

<https://fortress.wa.gov/ga/apps/ContractSearch/ContractSummary.aspx?c=08114>.

The Department of Social and Health Services (DSHS) Office of the Deaf and Hard of Hearing administers state-wide contracts for sign language interpreter services.

- DSHS list of independent sign language contractors for state agencies, and their hours of availability (some available 24-hours, 7 days-a-week basis) (fee involved)
 - <https://www.dshs.wa.gov/altsa/odhh/contractor-wa-state>.

Contact individual translator / interpreter on availability after normal business hours.

- DSHS list of Certified/Authorized Interpreters and Translators (fee involved)
 - <https://fortress.wa.gov/dshs/dshsltc>

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Contact individual translator / interpreter on availability after normal business hours.

- Washington State Courts Interpreter Program (fee involved)
 - http://www.courts.wa.gov/programs_orgs/pos_interpret/

Contact individual interpreter on availability after normal business hours.

- Washington State Coalition for Language Access
 - <http://www.wascla.org/directory/> (fee involved).

Contact individual translator / interpreter on availability after normal business hours.

State Comprehensive Emergency Management Plan's LEP Communications Plan

This plan is used to develop strategies to communicate with LEP communities during state emergency response and disaster recovery operations.

- <http://mil.wa.gov/uploads/pdf/PLANS/wa-esf-15-app-1-lep-comm-plan-7-27-16-final.pdf>